

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

IN RE:

L&A AUTOMOTIVE CENTER, INC.

**Bk. No. 13-12544
Chapter 11**

Debtor.

MOTION TO EXTEND PLAN

The debtor, by and through its attorneys, Barbaruolo & Weiskopf, LLP, respectfully states the following:

1. That the debtor filed an application for relief pursuant to Chapter 11 of the Bankruptcy Code on the 16th day of October, 2013.

2. That the debtor is a debtor-in-possession as no Trustee has been appointed for the debtor.

3. That no creditors' committee has been appointed in the within case.

4. That the debtor's exclusive time in which to file a Plan pursuant to 11 U.S.C. § 1121 of the Code expires on the 14th day of April, 2014.


5. The Principal of the debtor and his Wife own a home in the Town of Glenville that is encumbered by a mortgage that the lender claimed was in an amount that left little equity for the owners. As a result of litigation in NYS Supreme Court, Schenectady County, the mortgage is about to be reduced down to what was believed by debtor's principal to be the balance, which leaves \$200,000 more equity than thought previously. This extra equity will provide the debtor with the ability to borrow from its principal in the future, once the principal is free to refinance, that will facilitate the filing of a successful Plan. This was the hope when the case was filed, but the process in State Supreme Court has taken longer than expected.

6. There are additional activities which the debtor must accomplish before a Plan is filed. A Judgment was filed against the debtor during the 90 day period prior to filing which enables the debtor to bring an Adversary Proceeding to seek removal of the Judgment

7. Section 1121(e) provides that the debtor has 300 days to file its Plan and Disclosure Statement and that its exclusive period is limited to 180 days unless extended. Accordingly, the request to this court is only addressed to extension of the period of exclusivity and nothing more.

WHEREFORE, it is respectfully requested that the relief sought be in all respects granted.

Dated: April 7, 2014


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